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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/368,852	08/05/1999	GUDRUN VANDEGINSTE	17.062	6013

7590 06/15/2004

PHILIPS ELECTRONICS NORTH AMERICAN CORP
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TARRYTOWN, NY 10591

EXAMINER

LEE, MICHAEL

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 06/15/2004

#17

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/368,852

Applicant(s)

VANDEGINSTE, GUDRUN

Examiner

M. Lee

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-15 and 18-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-15, 18-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5, 8-16, 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Richards (5,247,358).

Regarding claim 1, Richards shows a signal processing device (MPU), and a demonstration means which includes a storage means (CDP,DMA,NVRAM,CDRTOS,RAM), and a directing means (INP,KB). The processing operations in Richards could be turned on or off by user as indicated in col. 5, lines 49-52.

Regarding claim 2, Richards has a switching means (see col. 5, lines 49-52).

Regarding claim 3, see Figure 2.

Regarding claim 4, see col. 8, lines 6-14.

Regarding claim 5, in col. 8, lines 14-24, Richards states that the invention is intended to be used with a CDROM or a VCR. It is well known that CDROMs or VCRs can be programmed to repetitively playback a recorded video signal. Since Richards has both a CDROM or a VCR, the repeat function as claimed clearly met by these devices.

Regarding claims 8-10, see Figure 1 and col. 8, lines 21-24.

Regarding claims 11-16, 18-20, see the corresponding reasons as set forth above.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 7, 17, 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Richards (5,247,358) in view of Capitant et al. (5,185,666).

Regarding claims 7, 17, 21 and 22, Richards does not specify to present the demonstration signals in a split screen form as claimed. Capitant, from the similar field of endeavor, teaches such limitation (col. 1, lines 30-51). By using a split screen, a user can readily compare a reference image and a test image side-by-side, which in turn, a desired image can be obtained conveniently. Since the test image in Richards needs to compare with a reference image in order to render a correctly adjusted picture, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the split screen feature of Capitant into Richards to perform the well known features as claimed.

Response to Arguments

3. Applicant's arguments filed 2/6/03 have been fully considered but they are not persuasive.

Regarding applicant's argument that Richards does not teach or suggest activating and deactivating the processing operation alternately during the presentation of the demonstration signals as recited in claims 1 and 11, the examiner disagrees. As stated in column 5, lines 49-52, the test image is selected by the user during the start-up phase presentation. By selecting the test image, the image adjustment process is activated. Conversely, by turning off the process or the unit, the adjustment process is deactivated. Therefore, Richards clearly meets the activating/deactivating limitations as claimed.

Applicant correctly argued that Richards does not have the split screen feature. However, such feature is notoriously well known in the art as taught by Capitant. Therefore, claims 7, 17, 21 and 22 are still unpatentable in view of Capitant.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Lee whose telephone number is **703-305-4743**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John Miller**, can be reached at **703-305-4795**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9306 (for Technology Center 2600 only)

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

A handwritten signature in black ink, consisting of a large, stylized 'A' or 'M' shape with a horizontal line extending to the right.

M. Lee
Primary Examiner
Art Unit 2614

June 3, 2004